



INDIANA UTILITY REGULATORY COMMISSION
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FILED

OCT 27 2005

INDIANA UTILITY

CAUSE NO. 42935 REGULATORY COMMISSION

PROGRESS REPORT AND PETITION FOR)
APPROVAL OF MODIFICATIONS OF AND)
REVISED COST ESTIMATES RESPECTING)
CLEAN COAL TECHNOLOGY OF)
NORTHERN INDIANA PUBLIC SERVICE)
COMPANY, UNDER THE ONGOING)
REVIEW PROCESS APPROVED IN CAUSE)
NO. 42150, PURSUANT TO IND. CODE)
§ 8-1-8.7)

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On October 13, 2005, Northern Indiana Public Service Company ("NIPSCO") filed its *Progress Report and Request for Approval of Revised Cost Estimates for Clean Coal Technology* in the above-referenced cause. On October 20, 2005, NIPSCO and the Office of Utility Consumer Counselor ("OUCC") filed a *Submission of Agreed Upon Hearing Schedule in Lieu of Prehearing Conference*. The parties advise that they have agreed to the following procedural schedule in the above captioned causes:

1. **Petitioner's Prefiling Date.** The Petitioner prefiled with the Commission its prepared testimony and exhibits constituting its case-in-chief on October 13, 2005.
2. **Public's and Intervenors' Prefiling Date.** Public and all Intervenors should prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before November 18, 2005. Copies of same should be served upon all parties of record.
3. **Petitioner's Rebuttal Prefiling.** The Petitioner should prefile with the Commission its prepared rebuttal testimony on or before November 23, 2005. Copies of same should be served upon all parties of record.
4. **Evidentiary Hearing on the Parties' Cases-In-Chief.** The cases-in-chief of the Petitioner, Public and any Intervenors should be presented in an evidentiary hearing to commence at 1:30 p.m. on December 9, 2005 in Room E-306 of the Indiana Government Center South, Indianapolis, Indiana. At such time, the direct evidence of the respective parties should be presented and their respective witnesses examined. Thereafter, Petitioner should present its

prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of Public's or Intervenors' witnesses.

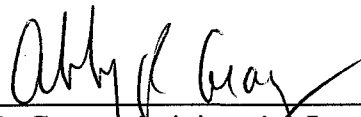
5. **Discovery.** Discovery is available for all parties and should be conducted on an informal basis. Any response or objection to a discovery request should be made within five (5) business days of the receipt of such request. Following the submission of rebuttal testimony, discovery shall be responded to within three (3) business days excluding November 24-27, 2005, and any discovery requests served after 12:00 noon shall be deemed to have been served the next following business day.

6. **Prefiling of Workpapers.** When prefiling technical evidence with the Commission, each party should concurrently file copies of the work papers used to produce that evidence. Copies of same should also be provided to any other party requesting such in writing. When submitting workpapers to the Commission, two (2) copies of each document should be filed with the Secretary of the Commission.

7. **Number of Copies/Corrections.** With the exception of work papers, the parties should file with the Commission an original and five (5) copies of all prefiled testimony and exhibits. Any corrections to prefiled testimony should be made in writing as soon as possible after discovery of the need to make such corrections. Although the Commission's rules require that original copies be one-sided, it is the Commission's preference that duplicate copies use both sides of the paper.

8. **Intervenors.** Any party permitted to become an Intervenor in this Cause should be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant

IT IS SO ORDERED.



Abby R. Gray, Administrative Law Judge
Date: October 27, 2005